

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	
- v. -	:	CONSENT PRELIMINARY ORDER
	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
GABRIEL LETIZIA, JR.,	:	
	:	
Defendant.	:	S2 19 Cr. 548 (KMK)
	:	
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WHEREAS, on or about May 4, 2021, GABRIEL LETIZIA, JR. (the “Defendant”), was charged in a three-count Superseding Information, S2 19 Cr. 548 (KMK) (the “Information”), with conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 371 (Count One); misbranding, in violation of Title 21, United States Code, Section 331(a) and 333(a)(1), and Title 18, United States Code, Section 2 (Count Two); and misbranding, in violation of Title 21, United States Code, Section 331(a), and Title 18, United States Code, Section 2 (Count Three);

WHEREAS, the Information included a forfeiture allegation as to Counts One through Three of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(7), and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One through Three of the Information, including but not limited to a sum of money in United States currency representing proceeds traceable to the commission of the offenses charged in Counts One through Three of the Information;

WHEREAS, on or about May 4, 2021, the Defendant pled guilty to Counts One through Three of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Counts One through Three of the

LETIZIA, JR., and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander

Information and agreed to forfeit, to the United States, pursuant to Title 18, United States Code, 981(a)(1)(C) and 982(a)(7), and Title 28, United States Code, Section 2461(c), a sum of money equal to \$46,200,000 in United States currency, representing the amount of proceeds from the offenses charged in Counts One through Three of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$46,200,000 in United States currency representing the amount of proceeds traceable to the offenses charged in Counts One through Three of the Information that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One through Three of the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Audrey Strauss, Acting United States Attorney, Assistant United States Attorney, Jeffrey Coffman, of counsel, and the Defendant, and his counsel, Frederick P. Hafetz, Esq., that:

1. As a result of the offenses charged in Counts One through Three of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$46,200,000 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts One through Three of the Information that the Defendant personally obtained, shall be entered against the Defendant.

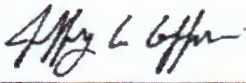
2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, GABRIEL

J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.


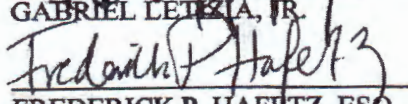
9. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

AUDREY STRAUSS
Acting United States Attorney for the
Southern District of New York


By: 
JEFFREY C. COFFMAN
JAMES MCMAHON
OLGA ZVEROVICH
Assistant United States Attorneys
300 Quarropas Street
White Plains, NY 10601
(914)993-1940

5/4/21
DATE

GABRIEL LETIZIA, JR.
By: 
GABRIEL LETIZIA, JR.
By: 
FREDERICK P. HAFETZ, ESQ.
Attorney for Defendant
10 East 40th Street, 48th Floor
New York, NY 10016

5/4/21
DATE

5/4/21
DATE

SO ORDERED:

HONORABLE KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE

5/13/21
DATE